



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 1, 2019

**BY ECF**

Honorable Edgardo Ramos  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Mark S. Scott,*  
S6 17 Cr. 630 (ER)**

Dear Judge Ramos:

The Government writes in connection with the defendant's letter of May 1, 2019, requesting an adjournment of the pretrial motion schedule and the pretrial conference of June 12, 2019 in the above-captioned case. The Government consented to the defendant's proposed adjournment based on the Court's scheduling of the trial date in this matter in October 2019. In connection with the proposed adjournment, the Government respectfully requests that the time between June 12, 2019 and any new pretrial conference date chosen by the Court be excluded under the provisions under the Speedy Trial Act.

The instant adjournment, which was sought by the defendant and not the Government, is premised on providing the defendant additional time to prepare pretrial motions, both the Government and the defendant time to file appropriate motion responses and replies, and the Court time to consider and resolve the motions. For these reasons – *see* 18 U.S.C. § 3161(h)(7)(A) (exclusion appropriate where “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial”); 18 U.S.C. § 3161(h)(1)(D) (Speedy Trial time “shall be excluded” for “delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion”) – and for the reasons set forth in the Government's previous letter of March 20, 2019, addressing the exclusion of time in connection with the October 2019 trial date, the Court should grant the requested exclusion of Speedy Trial time. The Government has been advised by defense counsel that, having already objected to the setting of a trial date in this matter in October 2019, the

Letter to the Honorable Edgardo Ramos  
May 1, 2019

defendant does not consent to the proposed Speedy Trial exclusion in connection with his request for an extended motion briefing schedule.

Respectfully submitted,

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